



PATENT

ATTORNEY DOCKET NO.: MSF-7-CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Pressly et al)	Examiner:	Unknown
S/N:	10/611,648)	Art Unit:	3763
Filed:	07/01/2003)	Conf. No.:	2083
Title:	Safety Syringe)		

COMMUNICATION ACCOMPANYING
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop IDS
Commissioner for Patents
P O Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby certifies that the references listed on the accompanying Information Disclosure Statement by Applicant were previously cited by or submitted to the U.S. Patent and Trademark Office in the parent application, serial number 09/593,974 filed on 06/13/2000, now U.S. Pat. No. 6,605,073 B1 issued on August 12, 2003, and relied on under 35 USC §120, per Rule 98(d).

Respectfully submitted,

ROBERTSON & MULLINAX, LLC

J. Bennett Mullinax
Reg. No. 36,221

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop IDS, Commissioner of Patents, P O Box 1450, Alexandria, VA 22313-1450 on

December 12, 2003

(Signature)

J. Bennett Mullinax

(Typed name of person signing)



PATENT

ATTORNEY DOCKET NO.: MSF-7-CON

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In re Application of: Pressly et al)	Examiner: Unknown
S/N: 10/611,648)	Art Unit: 3763
Filed: 07/01/2003)	Conf. No.: 2083
Title: Safety Syringe)	

STATEMENT UNDER 37 CFR §1.97 ACCOMPANYING
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop IDS
Commissioner for Patents
P O Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby certifies that:

37 CFR §1.97(b)

☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR §1.97(c)

☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b) provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e); OR

☐ the fee set forth in 37 CFR 1.17(p).

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37 CFR §1.97 (d)

/___/ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(d), and on or before payment of the issue fee, and is accompanied by the Statement as specified in 37 CFR 1.97(e) and the fee set forth in 37 CFR 1.17(p).

37 CFR §1.97(e)

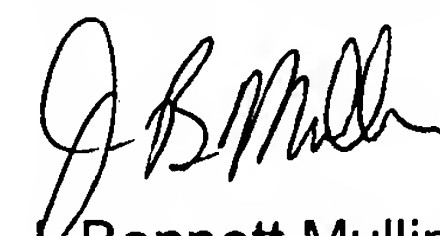
/___/ Statement under 37 CFR 1.97(e)(1) – Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

/___/ Statement under 37 CFR 1.97(e)(2) – No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersign person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

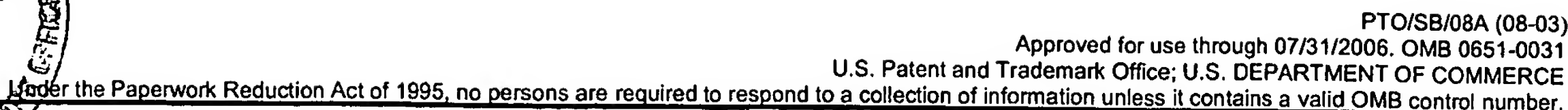
Please charge any additional fees required or credit any overpayments to
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Respectfully submitted,

ROBERTSON & MULLINAX, LLC



J. Bennett Mullinax
Reg. No. 36,221

**Complete if Known**

(Use as many sheets as necessary)

Sheet	1	of	3
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Application Number	10/611,648
Filing Date	07/01/2003
First Named Inventor	William B. S. Pressly, Sr.
Art Unit	3763
Examiner Name	
Attorney Docket Number	MSF-7-CON

[illegible]

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ *Number ⁴ *Kind Code ⁵ (if known)				
		EP 0 515 766 A1	12/1992			
		FR 2 652 006				
		GB 2 197 792	06/1998			
		WO 92/21396				
		WO 93/12830				
		WO 89/00435	01/1989			

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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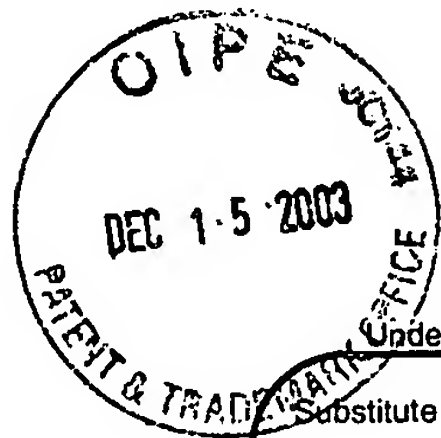
of 3

Attorney Docket Number	MSF-7-CON
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Examiner Signature		Date Considered	
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PTO/SB/08B (08-03)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known	
		Application Number	10/611,648
		Filing Date	07/01/2003
		First Named Inventor	William B. S. Pressly, Sr.
		Art Unit	3763
		Examiner Name	
Sheet 3	of 3	Attorney Docket Number	MSF-7-CON

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Supplemental Search Report dated April 19, 1999, issued by European Patent Office in related European Application No. 98105451.3	
		Letter dated March 22, 1999 from James E. Bradley to Mr. John Campbell	
		Expert Report of George R. Clark cited from Civil Action No. IP 98-1726-C-M/G	
		Expert Report of Charles M. Krousgrill, Jr. cited from Civil Action No. IP 98-1726-C-M/G	
		"The Protetiv TM IV Catheter Safety System," Modern Healthcare, Feb. 17, 1992, Manufacturer Critikon, a Johnson & Johnson Company	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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